

Mr. Newton Tedder,
Wright-Pierce would like to submit the following comment on the 2013 Draft MS4 Permit for New Hampshire.

According to Part 2.2.2 Discharge to an Impaired Water without an Approved TMDL, the permittee would be required to address such discharges with an iterative approach that incorporates three phases over the course of the permit term. This three phased approach includes: (1) preliminary evaluation and source identification, as well as BMP identification/selection; (2) implementation of BMPs and finalization of source identification; and (3) assessment and modification of BMPs, if needed. It is our understanding that Phase 1 of this approach shall include the development of a Water Quality Response Plan (WQRP) as outlined in Part 2.2.2.a.ii.

It appears that a WQRP is very similar to elements of a Watershed Management Plan. Is it true that if a regulated Small MS4 Community was planning to develop a Watershed Management Plan, they would be precluded from receiving 319 funding to do so because it would be fulfilling portions of their Small MS4 General Permit requirements? If so, is this an unintended consequence of the permit language and is there anything that can be done to avoid it? It would be a shame to knowingly limit the potential funding sources available to regulated Small MS4 Communities when the cost to implement the Small MS4 General Permit is already a burden on municipal budgets.

Please let feel free to contact me if you have any questions or require any additional information from us at this time. We appreciate the opportunity to submit comments on this draft permit and thank you for your time in review/response.

Regards,
Lyndsay

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